

SEC. 13. The superintendent of roads for the various districts of said county are hereby given authority and power, in their discretion, to locate new roads or relocate, widen or otherwise change any part of the public road in their district, when in their opinion such change or relocation will prove advantageous to the public travel: *Provided*, that such discretion and power to change, or alter or relocate roads shall not exceed fifty feet from the present location. That when any person or persons on whose land a new road or part of road located, claims damages therefor, and within thirty days after the completion of said alteration or amendments to said roads, petition the board of county commissioners for a jury to assess the damage done by reason of such alteration or change of said road, then said commissioners shall order a jury of three freeholders, residents of the district where such changes have been made, not related to the person claiming such damages, to be summoned by the sheriff, or township constable, to meet and assess the damages, if any, sustained by the owner of the land, which said jury, after being duly sworn to impartially assess the damages, shall forthwith proceed to assess the same and make a report of their proceedings to the next regular meeting of said board of commissioners of said county. But when such relocation or change shall be located more than fifty feet distant from the present location of any road in any section of said county, it shall be and is hereby made the duty of superintendent of the district where such change may be necessary to report said proposed change to the board of county commissioners at any regular meeting of the board, who shall thereupon cause a citation to issue to the owner of the land upon which change is proposed to be made, to appear before said board at such regular meeting thereof as said board may designate, not exceeding sixty days from the date of the filing of the report of such proposed change by said superintendent, to appear before said board and show any cause which he may be able against the granting of such proposed change. After the hearing of the proof of the landowner, if no sufficient reason is shown for not granting the order laying out or changing the road as proposed by said superintendent, the said commissioners shall order a jury of three appraisers to be summoned by the sheriff of the county to lay out the location proposed by the superintendent, said appraisers shall meet and, after being sworn, lay out the said change, and report their proceedings within ten days to the board of county commissioners, who shall make an order confirming said report after same has been on file for a period of no longer than ten days, in which time the landowner may file such exception to same as he desires. Upon the confirming of such report the commissioners shall issue an order upon the county treasurer of Yancey County, to pay such damages as may have been assessed to the landowner, and upon

Location and changes of roads.

Proviso: Limit of change.

Procedure for assessment of damages.

Proposed change reported.

Action by county commissioners.

Location laid out.

Order for payment of damages.